

ReedSmith



Louis A. DePaul, Esq.
Direct Phone: 412.288.3054
Email: ldepaul@reedsmith.com

Reed Smith LLP
435 Sixth Avenue
Pittsburgh, PA 15219-1886
412.288.3131
Fax 412.288.3063

June 7, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Applicants: PODLUCKY et al.
Title: TEA BREWING APPARATUS
Serial No.: 10/784,101
Filed: February 19, 2004
Art Unit: 1761
Examiner: (not yet assigned)
Docket No.: 01-410-US-D2

Dear Sir:

Enclosed are the following for filing in connection with the above-referenced application:

1. A Supplemental Information Disclosure Statement;
2. One (1) sheet Form PTO-1449, with attached cited references; and

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

MAILED

FACSIMILE

☒ deposited with the United States Postal Service on June 7, 2004 with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

Jody L. Burtner

Type Signature Name

(Signature of person mailing paper or fee)

(Signature of person mailing paper or fee)

LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND ♦ PRINCETON
FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ HARRISBURG ♦ LEESBURG ♦ WESTLAKE VILLAGE

reedsmith.com

Commissioner for Patents
June 7, 2004
Page 2

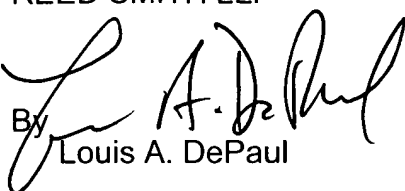
ReedSmith

3. A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

The Director is authorized to charge any payment due in connection with this submission, or to credit any overpayment to Deposit Account No. 18-0582. A duplicate copy of this authorization is enclosed.

Very truly yours,

REED SMITH LLP

By 
Louis A. DePaul



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PODLUCKY et al.

Serial No.: 10/784,101

Filed: February 19, 2004

Art Unit: 1761

Examiner: (Not yet assigned)

Atty. Docket No.: 01-410-US-D2

TEA BREWING APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

MAILED

☒ deposited with the United States Postal Service on June 7, 2004 with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jody L. Burtner

(Signature of person mailing paper or fee)

FACSIMILE

☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

Type Signature Name

(Signature of person mailing paper or fee)

1. ☒ Enclosed is PTO Form 1449 (and a duplicate thereof).
2. ☐ Items listed on the enclosed Form PTO-1449 are not in the English language.
 - ☐ For each of the following items, an English-language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
 - ☐ For each of the following items, a concise explanation of that item is incorporated in the specification of the above-identified application:
 - ☐ For each of the following items, a corresponding U.S. or other English-language patent is enclosed. Please consider the U.S. or other English-language patents in accordance with the procedure set forth in MPEP § 609:

3. ☒ **Submission in Accordance with 37 CFR § 1.98(d).**

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application Serial No. 10/076,253, filed February 13, 2002, of which the present application relies upon for an earlier filing date under 35 U.S.C. 120.

4. ☒ **Submission in Accordance with 37 CFR § 1.97(b).**

This Information Disclosure Statement is being filed

- ☐ With the application;
- ☐ Within three months of the filing date of a national application;
- ☐ Within three months of the date of entry of the national stage in an international application; or
- ☒ Before the mailing date of a first Office Action on the merits,

and NO FEE is due for consideration of this Information Disclosure Statement.

5. ☐ **Submission in Accordance with 37 CFR 1.97(c).**

This Information Disclosure Statement is being filed before the first mailing date of either

- ☐ A final action under § 1.113; or
- ☐ A notice of allowance under § 1.311.
- ☐ A fee is due for consideration of this Information Disclosure Statement and the fee is paid below; or
- ☐ This Information Disclosure Statement is accompanied by one of the certifications pursuant to 37 CFR § 1.97(e), and NO FEE is due for consideration of this Information Disclosure Statement.

6. ☐ **Submission in Accordance with 37 CFR 1.97(d).**

This Information Disclosure Statement is being filed after the mailing date of either

- ☐ A final action under § 1.113; or
- ☐ A notice of allowance under § 1.311,

whichever comes first, but before payment of the issue fee, and is accompanied by

- a. One of the certifications pursuant to 37 CFR § 1.97(e), which is set forth below;
- b. The attached petition requesting consideration of this Information Disclosure Statement; and
- c. The petition fee under 37 CFR § 1.17(i)(1), which is paid below.

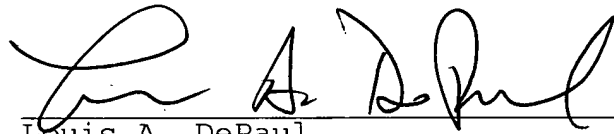
7. **Certification Pursuant to 37 CFR 1.97(e).**

- ☐ The undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

8. Fee Payment Being Made.

- ☐ Enclosed
- ☐ \$180.00 fee for submission under 37 CFR § 1.97(c).
- ☐ \$180.00 fee for submission under 37 CFR § 1.97(d).
- ☐ A check in the amount of \$[Amount] to cover the fee payment is enclosed.
- ☐ Charge the fee to Deposit Account No. 18-0582. A duplicate copy of this communication is attached.
- ☒ The Director is hereby authorized to charge payment of any additional fees associated with this Information Disclosure Statement or credit any overpayment to Deposit Account No. 18-0582. A duplicate copy of this communication is enclosed.

Respectfully submitted,



Louis A. DePaul
Reg. No. 28,407

Dated: June 7, 2004

REED SMITH LLP
P.O. Box 488
Pittsburgh, PA 15230
(412) 288-3054

Attorney for Applicants

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(MODIFIED) U.S. PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SER. NO.

01-410-US-D2

10/784,101

APPLICANT

PODLUCKY, et al.

FILING DATE

February 19, 2004

GROUP

1761

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(37 CFR 1.98(b))

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	Patent Number	Issue Date	Patentee	Class/ Subclass	Filing Date
_____		2,878,927	03/1959	Haley		
_____		4,354,427	10/1982	Filipowicz et al.		
_____		4,602,145	07/1986	Roberts		
_____		5,612,079	03/1997	Lunder		
_____		5,657,898	08/1997	Portman et al.		
_____		5,733,591	03/1998	Goerndt		
_____		5,899,137	05/1999	Miller et al.		
_____		6,079,314	06/2000	Mackinnon		

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Examiner Initial	Cite No.	Document Number	Publication Date	Country or Patent Office	Class/ Subclass	Translation Yes/No

OTHER DOCUMENTS

(Including Author, Title, Date, Relevant Pages, Place of Publication)

Examiner Initial	Cite No.	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(MODIFIED) U.S. PATENT AND TRADEMARK OFFICE



INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(37 CFR 1.98(b))

ATTY. DOCKET NO.

01-410-US-D2

SER. NO.

10/784,101

APPLICANT

PODLUCKY, et al.

FILING DATE

February 19, 2004

GROUP

1761

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	Patent Number	Issue Date	Patentee	Class/ Subclass	Filing Date
		2,878,927	03/1959	Haley		
		4,354,427	10/1982	Filipowicz et al.		
		4,602,145	07/1986	Roberts		
		5,612,079	03/1997	Lunder		
		5,657,898	08/1997	Portman et al.		
		5,733,591	03/1998	Goerndt		
		5,899,137	05/1999	Miller et al.		
		6,079,314	06/2000	Mackinnon		

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Examiner Initial	Cite No.	Document Number	Publication Date	Country or Patent Office	Class/ Subclass	Translation Yes/No

OTHER DOCUMENTS

(Including Author, Title, Date, Relevant Pages, Place of Publication)

Examiner Initial	Cite No.	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.